

ORIGINAL

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9 *Wen Yueh Lu*

FILED
DISTRICT COURT OF GUAM
JAN 31 2007
MARY L.M. MORAN
CLERK OF COURT

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF GUAM**

13 UNITED STATES OF AMERICA,)

14)
15 Plaintiff,)

16 vs.)

17 WEN YUEH LU)

18)
19 Defendant.)
20)

MAGISTRATE CASE NO.: 06-00031

**DEFENDANT'S RESPONSE TO
UNITED STATES MOTION TO
DISMISS AND DEFENDANT'S
REQUEST FOR RELEASE OF BOND**

21 COMES NOW, Defendant Wen Yueh Lu, by and through undersigned legal counsel Mark
22 S. Smith, Esq. and files his response to United States Motion to Dismiss and Defendant's Request
23 for Release of Bond.
24

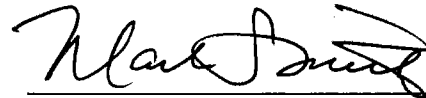
25 On January 19, 2007, Defendant filed his Motion to Compel, and Motion to Dismiss for
26 discovery related violations specifically regarding destruction of laptop computer INMARSAT C
27 and incorporates said motions by reference and requests the court grant said motions and dismiss the
28 above referenced case with prejudice.

4 If the court dismisses the above-referenced case, Defendant respectfully requests release of
5 Five Thousand and 00/100 Dollars (\$5,000.00) bond as this requirement is no longer necessary and
6 remitted to person designated by Defendant.

7 Dated this 30th, day of January, 2007.

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9
10 Respectfully submitted,

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12 By:



13 **MARK S. SMITH, ESQ.**

14 Attorney for Defendant, *Wen Yueh Lu*